IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL NO : 1041 of 2004

(Writ Appeal under Clause 15 of the Letter Patent against the Order dated 10/12/2003 in WP NO.15964 OF 2001 on the file of the High Court.)

Between:

1 The Deputy Inspector General, South Zone, Central Industrial Security Force, Rajaji Bhawan, Besent Nagar, Chennai - 90.
2 The Commandant, Central Industrial Security Force Unit , VSP Visakhapatnam Steel Plant, Visakhapatnam.
3 The Commandant, Central Industrial Security Force Unit, Moonidih (P), Dhanbhad District, Jharkhand.

..... APPELLANTS

AND

Briksh Ram No. 764490125, S/o Muni Ram, Aged 49 years,Head Constable in CISF Unit, Moonidih (P) Dhanbad Dist. Jharkhand.

.....RESPONDENT

This Writ Appeal is filed under Clause 15 of the letter patent aggrieved by the Order made in Writ petition No.15964 of 2001 dated 10-12-2003.

Counsel for the Appellants: SMT. E.URMILA.

Counsel for the Respondent : MR.J.RAMACHANDRA RAO

The Court made the following :

JUDGMENT : (Per Honourable Sri Justice G.Bikshapathy)

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The Writ Appeal is filed against the order passed by the learned single Judge in W.P.No.15964 of 2001-dated 10-12-2003.

2. The Respondent who was working as Head Constable in CISF (Central Industrial Security Force) Unit was imposed with the punishment of reduction to lower stage in the time scale of pay by l2 stages, i.e., from Rs.4,220/- to Rs.3,220/- for a period of three years with effect from 12.4.2001 which will have the effect of postponing his future increments of pay. The said order came to be challenged by the respondent in the above Writ Petition. The learned single Judge, after considering the matter, modified the punishment while maintaining the reduction by l2 stages for three years; the effect of postponing the future increments of pay was reduced. To that extent, the present Writ Appeal has been filed.

3. The learned Standing Counsel for the appellants submit that the order of the learned single Judge is illegal and not sustainable in law. When it is permissible for the authority to impose such punishment, this court would not interfere with the powers of the disciplinary authority.

4. We are afraid we cannot accept the contention raised by the learned Standing Counsel for the appellants. The very imposition of punishment of stoppage of increments with cumulative effect was directed not to be imposed on the employees concerned by letter No.V.14013/64/80/L&R/256, dated 14-10-1992.Under such circumstances, taking into consideration the order passed by this Court in W.P.No.10299/98, the learned single Judge has deleted insofar as the punishment has the effect of postponing of future increments of pay to the employee was concerned.

5. Thus we do not find any ground to interfere with the order of the learned single judge.

6. Accordingly, the Writ Appeal is dismissed. No costs.

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G.BIKSHAPATHY, J.

_____ B.SESHASAYANA REDDY,J.

Dated 09-07-2004.

dvs

To

1. The Deputy Inspector General, South Zone, Central Industrial Security Force, Rajaji Bhawan, Besent Nagar, Chennai - 90.
2. The Commandant, Central Industrial Security Force Unit , VSP Visakhapatnam Steel Plant, Visakhapatnam.
3. The Commandant, Central Industrial Security Force Unit, Moonidih (P), Dhanbhad District, Jharkhand.

4. Two CD copies.

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